



August 21, 2018

**VIA ECF**

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Hon. Vera M. Scanlon  
United States Magistrate Judge  
United States District Court for the  
Eastern District of New York  
225 Cadman Plaza East, 1214 South  
Courtroom 13A – South Wing  
Brooklyn, NY 11201

**Re: *Monadnock Construction, Inc. v. Westchester Fire Ins. Co. / Westchester  
Fire Ins. Co. v. Glasswall, LLC, et al.*  
Case No. 1:16-cv-00420-JBW-VMS**

Dear Judge Scanlon:

This firm represents defendant/third-party plaintiff, Westchester Fire Insurance Company (“Westchester”), in the above-referenced matter. As discussed during the telephonic conference on August 15, 2018, the parties are not in agreement as to the discoverability of documents related to the settlement and assignment of certain of the claims at issue in this action. To the extent the parties are unable to resolve these issues informally, the Court has directed the parties to make a formal submission as to any unresolved issues by September 10, 2018 [Dkt. No. 127]. In accordance with your Individual Practice Rules, Westchester respectfully submits this letter motion requesting a one-week extension of time to make such a formal submission to September 17, 2018.

The reason for this request is due to previously scheduled conflicts of which we were unaware during the telephonic conference. No previous requests for such an extension have been made. The undersigned has conferred with counsel for Monadnock, Inc., Evan Weintraub, Esq., Glasswall, LLC, Jim Cinque, Esq., and Ugo Colombo and Sara Jayne Kennedy Colombo, Joel Magolnock, Esq., all of whom have consented to the relief requested herein. Westchester further submits that granting a limited, one-week extension would not affect any other scheduled dates.

Accordingly, Westchester respectfully requests a one week extension of time to make a formal submission as to any unresolved discovery issues regarding the alleged settlement and assignment to September 17, 2018.

Respectfully,

COZEN O'CONNOR

/s/ John J. Sullivan

By: John J. Sullivan